

August 6, 2003

**REQUEST FOR PROPOSAL
Bike to Work Day 2004**

Dear Consultant:

The Metropolitan Transportation Commission (MTC) invites you to submit a proposal to plan, coordinate, promote and implement Bike To Work Day (BTWD) 2004 in the San Francisco Bay Area.

This letter and enclosures comprise the Request For Proposal for this project. Responses should be submitted in accordance with the instructions set forth in this RFP.

Proposal Due Date

Interested firms must submit ten (10) hard copies of their proposals, to the address indicated below, by 12 p.m. on Wednesday, September 3, 2003. **Proposals received after that date and time will not be considered.** Proposals must be clearly marked "Bike To Work Day RFP" on the outer envelope or package.

Proposals shall be considered firm offers to provide the services described for a period of ninety (90) days from their due date.

MTC Point of Contact

Proposals and all inquiries relating to this RFP shall be submitted to the address shown below. For telephone inquiries, call (510) 817-3222; fax: (510) 817-3299; and e-mail inquiries may be directed to sheinr@mtc.ca.gov.

Susan Heinrich-Beaty, Project Manager
Metropolitan Transportation Commission
Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700

Background

MTC manages the Regional Rideshare Program (RRP) on behalf of the program's partners, including county congestion management agencies and the Bay Area Air Quality Management District for the nine-county Bay Area. Since 1995, MTC has been responsible for the coordination and promotion of Bike to Work Day (BTWD) through the RRP contract. MTC is now decoupling the BTWD tasks from the larger RRP contract and is seeking separate proposals to coordinate and implement the 2004 BTWD event.

While BTWD has continued to grow in success with each year, expectations and costs associated with hosting the event have continued to grow as well. This past year, MTC assumed the regional responsibilities for BTWD 2003 to allow the RRP contractor the opportunity to focus on other responsibilities. MTC, in the role of project manager, worked with bicycle advocates, coalitions, our member jurisdictions, and the RRP contractor – in a more narrowly defined role –to coordinate and promote the BTWD 2003 event.

MTC intends that the consultant selected as a result of this RFP will assume the project management responsibilities for BTWD 2004. With this procurement, we intend to (1) encourage a creative, yet effective approach to the promotion and implementation of BTWD 2004 and (2) build on the collaborative relationships forged with previous years' BTWD supporters to shape the successful planning for and implementation of BTWD 2004. Our goals for BTWD 2004 include:

1. Generating greater awareness of bicycling as a viable commute alternative.
2. Promoting 511/511.org as the means of receiving year-round information about bicycling in the S.F. Bay Area.

MTC has centralized regional traveler information services under the phone (511) and Internet (www.511.org) to simplify and enhance the effectiveness of marketing for such services. MTC intends for the selected consultant to promote 511/511.org as the sole telephone and website access for BTWD event information. All marketing for the event will use 511/511.org as the call to action.

Proposers Qualifications

Proposers must have:

- Experience with promotion and marketing of events; coordination and negotiation of a multi-media campaign (print, television, radio, web); and the creation, production and distribution of promotional materials
- Knowledge of bicycling and transportation alternatives
- Experience with management of multi-organization activities
- Project management and budget administration experience

Proposers' Conference

A Proposers' Conference will be held on Tuesday, August 19, 2003 at 2:00 p.m. in the MTC Claremont Conference Room, at 1999 Harrison Street, Oakland (two blocks from the 19th Street BART Station). To receive any addenda to this RFP that may be issued by MTC, proposers must either attend the Proposers' Conference or submit to the Project Manager a written request to receive addenda no later than the date of the Proposers' Conference.

Any requests for clarification of or exceptions to the proposal requirements with respect to the proposed scope of work, issues regarding the attachments, and/or feasibility of the work

schedule must be made at the Proposers' Conference or be received in writing no later than noon on Friday, August 22, 2003 to guarantee response or consideration.

A brief summary of BTWD 2003 will be distributed at the conference.

Scope of Work

MTC has developed a preliminary Scope of Work (Attachment A) identifying required work tasks for coordinating, promoting, and implementing the event. MTC encourages a creative approach for the promotion of the BTWD event, as long as the approach meets our stated goals for BTWD 2004.

The RRP contractor has unique capabilities and resources essential for a successful BTWD and will be directed by MTC to cooperate fully with the BTWD 2004 project manager to assure the success of BTWD 2004. The following services are examples of the types of services or activities the RRP Contractor will be providing to support BTWD 2004:

- Hosting the 511.org BTWD website
- Supporting employer mailings through provision of the RRP Employer Database (mailing list)
- Assisting in possible event registration

MTC's public information and marketing staff will also be available on a limited basis to assist in the media planning and implementation.

Attachment A-1 is an outline of tasks performed in support of BTWD 2003. Attachment A-2 includes a listing of ideas generated by the BTWD 2003 Technical Advisory Committee (TAC) for future events. Neither the tasks listed in Attachment A-1 nor the suggestions in Attachment A-2 should be considered requirements for BTWD 2004. They are included for informational purposes only.

MTC has reserved \$150,000 to support completion of BTWD 2004, including work plan development and implementation, purchase of materials, advertising and overall coordination efforts associated with BTWD 2004.

MTC will evaluate overall awareness of BTWD 2004 and the performance of the selected consultant to measure its success. Based on the results of the awareness survey and the consultant assessment, MTC may elect to renew the contract resulting from this RFP for up to two additional years.

Proposal Content

Proposal length should not exceed 30 pages (including resumes, descriptions of past project experience, etc).

Each proposal should include:

1. A transmittal letter signed by an official authorized to solicit business and enter into contracts for the firm. The transmittal letter should identify the project team, including lead contractor and any subcontractors. The transmittal letter should also include the name, telephone number and email address of the primary contact person, if different from the person signing the transmittal letter. The transmittal letter should include a statement that the proposal is a binding offer to contract with MTC according to the requirements of this RFP and the proposal terms for a period of ninety (90) days from the due date for submission of proposals.
2. A brief discussion of the contractor's understanding of the purpose of the project and how the contractor will meet the goals of this RFP.
3. A description of the consultant's qualifications and experience focusing on those factors identified in the Proposer Qualifications section above. Include a description of at least three (3) prior related projects that demonstrate the consultant's experience in one or more of the required areas and the names and telephone numbers of a contact person for each project.
4. A proposed Work Plan, identifying each task and subtask and preliminary schedule. This Work Plan should identify how the contractor shall meet requirements described in this RFP.
5. A proposed staffing plan, identifying all staff (including any subcontractor's employees) by name and the specific tasks for which the individual will be responsible. A discussion of how the contractor will manage coordination, description of the role of any subcontractors, their specific responsibilities and how their work will be supervised should be included.
6. Resumes and/or qualifications summaries of key personnel.
7. A cost proposal including an estimated number of hours required for each task by key personnel and support staff, with billing rates and all other direct and indirect costs.
8. Completed Levine Act statement (Attachment B to RFP).

Proposal Evaluation Factors

A consultant will be selected on the basis of the following evaluation criteria, listed in order of relative importance:

1. Project Approach
 - Proposed work plan;
 - Understanding of the purpose and scope of the project;
 - Cost Effectiveness
 - Overall potential for meeting BTWD 2004 goals
2. Experience
 - Professional experience in coordinating, administering and implementing a multi-agency marketing campaign and/or event promotion;
 - Knowledge of bicycling and alternative transportation, including familiarity with Bay Area bicycling organizations;
 - Multi-media marketing experience;
 - Project management and budget administration experience;
 - Demonstrated ability to meet deadlines.

The selection panel will evaluate the proposals and identify a short list of proposals reasonably likely to be recommended to perform the project. The panel will then hold oral interviews with short-listed proposers, prior to recommending a consultant. The Executive Director will review the recommendation and, if in agreement, will refer it to the MTC Administration Committee for approval.

Selection Timetable

The following is the timetable for the selection process:

Bidders Conference, 1999 Harrison Street, 17 th Floor, Oakland, Claremont Conference Room	2 p.m., Tuesday, August 19, 2003
Deadline for receipt of Questions	12 p.m., Friday, August 22, 2003
Proposals Due	12 p.m., on Wednesday, September 3, 2003
Oral Interviews (if required)	Wednesday, September 17, 2003
MTC Administration Committee Approval	Wednesday, October 8, 2003
Execution of Contract	October 30, 2003 (approximate)

Selection Disputes

A proposer may object to a provision of the RFP on the grounds that it is arbitrary, biased, or unduly restrictive, or to the selection of a particular consultant on the grounds that MTC procedures, the provisions of the RFP or applicable provisions of federal, state or local law have been violated or inaccurately or inappropriately applied by submitting to the Project Manager a written explanation of the basis for the protest:

- 1) no later than one week prior to the date proposals are due, for objections to RFP provisions; or
- 2) within three (3) working days after the date on which contract award is authorized or the date the proposer is notified that it was not selected, whichever is later, for objections to consultant selection.

Except with regard to initial determinations of non-responsiveness, the evaluation record shall remain confidential until the MTC Administration Committee authorizes award.

In the case of protests of contract award, the protesting proposer has up to five (5) calendar days after submission of a protest to review the record and supplement its protest. Protests of recommended awards must clearly and specifically describe the basis for the protest in sufficient detail for the MTC review officer to recommend a resolution to the BATA Executive Director.

The MTC Executive Director will respond to the protest in writing, based on the recommendation of a staff review officer. Authorization to award a contract to a particular firm by MTC's Administration Committee shall be deemed conditional until the expiration of the protest period or, if a protest is filed, the issuance of a written response to the protest by the Executive Director.

Should the protesting proposer wish to appeal the decision of the Executive Director, it may file a written appeal with the MTC Administration Committee, no later than three (3) working days after receipt of the written response from the Executive Director. The Administration Committee's decision will be the final agency decision.

General Conditions

MTC reserves the right to accept or reject any and all proposals submitted and to request additional information from the proposers. Any award made will be made to the firm whose proposal is the most advantageous to MTC, based on the evaluation criteria listed above.

All materials submitted by proposers are subject to public inspection under the California Public Records Act (Government Code § 6250 *et seq.*), unless exempt.

The selected consultant(s) will be required to sign a contract agreement, the key provisions of which are summarized in Appendix C, "Synopsis of Provisions in MTC's Standard Consultant Agreement". ***Your attention is drawn to the insurance requirement in Appendix C of this RFP.*** The consultant will be required to obtain such insurance and provide proof of coverage prior to receiving any payments under this contract. If no objections to coverage limits are received prior to proposal submission, compliance with the requirements in Appendix E may be presumed.

Authority to Commit MTC

Based on evaluation conducted by a selection panel, the Executive Director will recommend a consultant to the Administration Committee, which will commit MTC to the expenditure of funds in connection with this RFP.

Thank you for your interest.

Sincerely,

Ann Flemer
Deputy Director, Operations

AF:SHB

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Enclosure

ATTACHMENT A

Scope of Work

MTC has identified the following requirements for BTWD 2004:

1. Coordination

The selected contractor will form a BTWD Technical Advisory Committee (TAC), to provide input on strategic direction for and to assist in implementation of the BTWD 2004 event. At a minimum, the TAC will include MTC staff, bicycle advocates and public agency representatives involved in bicycle planning and BTWD promotion. The selected contractor will coordinate with MTC, the BTWD TAC, the Regional Rideshare Program Contractor, bicycle coalitions, Bay Area public agencies and any necessary State/National bicycle agencies/organizations. Frequency and method of coordination with the TAC shall be proposed.¹ The selected contractor shall also coordinate with energizer station sponsors to track the establishment and locations of the stations.

2. Marketing/Public Information Plan

The contractor shall develop and implement a marketing/public information plan for promotion of BTWD 2004. The plan will include, at a minimum, a strategy for negotiation of media deals, a media schedule (including media formats, locations and frequency), coordination efforts with the RRP Contractor and local agencies on materials distribution to Bay Area employers (i.e., using the RRP employer database), and a strategy for promoting the event on 511 and 511.org. The selected contractor will present the plan to the BTWD TAC for their review and comment. The selected contractor will implement this plan upon MTC's approval.

Please note that registration and the provision of energizer station giveaways are not requirements for BTWD 2004. Coordination with the energizer station sponsors and volunteers is required (see #1 above), so that accurate and timely information may be conveyed to the public.

3. Call to Action: 511/511.org

To capitalize on the 511 investment and to provide maximum benefit and simplicity to the traveling public, MTC will require the BTWD 2004 contractor to uniformly reference 511/511.org in all marketing efforts. Guidelines for complying with this requirement are included in *Attachment A-3, 511 Traveler Information – Marketing and Brand Use Principles*.

The selected contractor should also work with local agencies and bicycling groups to promote 511/511.org as their call-to-action for BTWD 2004.

¹ Proposers shall consider constraints of BTWD volunteer schedules in establishing the method and frequency of TAC coordination.

4. Coordination with RRP Contractor

The selected BTWD 2004 contractor will coordinate with the RRP contractor on related tasks, such as submitting updated information/links for the BTWD website, employer mailings, possible registration via the 511.org/BTWD website, and other potential tasks.

5. Monthly Progress Reports

The selected contractor will submit Monthly Progress Reports to MTC. These reports will briefly document accomplishments, including progress in BTWD TAC coordination efforts.

6. Summary Report

The selected contractor will submit a Summary Report summarizing the BTWD 2004 event. At a minimum, the Report will summarize the media/advertising of the event, a compilation of all print materials, documentation/photographs of outdoor advertising and media coverage. Results from MTC's independent evaluation of BTWD 2004 will be provided to the contractor prior to its preparation of the Summary Report to allow the contractor to include and respond to the evaluation results in the Summary Report. This report shall be reviewed in draft with the BTWD TAC prior to preparing a final Summary Report.

Attachment A-1

2003 BTWD Tasks – Example (not requirements for BTWD 2004)

1. BTWD Event Coordination

- Establish and manage BTWD Technical Advisory Committee comprised of representatives of Bicycle Coalitions, County CMAs, and municipalities.
- Arrange and hold meetings from November through May. Determine frequency & meeting format (email/in-person, etc.). Establish work task priorities and agenda items. Act as representative and liaison to public agencies in coordinating BTWD events.
- Coordinate with statewide BTWD coordinator.
- Coordinate with public transit providers (BART, AC Transit, MUNI, Golden Gate, Solano, Napa, VTA, etc.)
- Coordinate with local and county jurisdictions.

2. BTWD Materials and Giveaways

- Purchase regional BTWD promotional and giveaway items. The regional BTWD items for 2003 included the following:
 - Grand Prize (\$750 bicycling shop gift certificate)
 - Bay Area BTWD posters (provided by the state with opportunity to add in Bay Area's 511/511.org call to action)
 - BTWD musette bags (included co-sponsorship from several corporations)
 - Energizer station giveaways (included donated energizer bars and sun block)
- Distribute materials and giveaways to Energizer Station County Contacts/Volunteers

3. Media Strategy

- Develop media strategy
- Present media strategy to BTWD TAC and incorporate comments & suggestions
- Develop press materials as part of media kit

4. Newspaper Advertisements

- Solicit in-kind newspaper advertisement space from region-wide newspapers
- Develop print advertisement
- Submit draft advertisements to TAC for review and comment

5. Radio Spots

- Develop radio spots for media kit
- Solicit in-kind radio spots from commercial radio stations
- Develop BTWD Public Service Announcements

6. In-Transit Signage

- Work with transit agencies to secure artwork placement in transit stations and vehicles region wide
- Provide artwork and content for interior bus cards to transit agencies
- Provide artwork to transit agencies for sheet posters throughout the regional transit system

- Provide artwork to transit agencies for station banners where energizer stations will be located

7. Outdoor Campaign

- Provide artwork for outdoor billboard campaign
- Solicit in kind services for billboard space and seek other prominent locations for billboards region wide. For BTWD 2003, this included:
 - Working with the San Francisco Bicycle Coalition (SFBC) and the City of San Francisco to hang a banner on Treasure Island above the tunnel.
 - Developing announcements for the Pac Bell Park jumbo-tron screen. Coordinated dates with Pac Bell staff
 - Providing ads on bus shelters and kiosks
 - Seek other regional recreational venues (Oakland A's, etc.) for announcements and scoreboard placement

8. Provide Updated/Current Information for the 511.org BTWD website

- Provide timely and updated information for the 511.org BTWD website
- Provide necessary contact information so that MTC can include links to other coalition sites referencing local BTWD events
- Provide updated list of all energizer station locations or posting on the 511.org BTWD website

9. BTWD Registration²

- Develop, print, and distribute BTWD registration forms
- Provide registration form to place on BTWD website
- Coordinate on-line registration through 511.org BTWD website

10. Energizer Stations³

- Collect and assemble listing of energizer stations from BTWD TAC members
- Coordinate listing on website with RRP Contractor
- Supply energizer stations with food supplies, giveaways and materials

11. BTWD Summary Report

- Summarize media/advertising
- Compile copies of all print advertising and list dates/locations
- Compile photographs / small copies of all outdoor advertising and summarize secured locations/dates
- Provide registration totals (if applicable) and database registrants by county (if applicable)
- Share results with BTWD TAC

² Registration is not a BTWD 2004 requirement.

³ The provision of Energizer Station giveaways is not a BTWD 2004 requirement.

ATTACHMENT A-2

Suggestions from 2003 BTWD TAC for BTWD 2004

(listed in order of presentation at the 6/12/03 TAC meeting)

1. Distribute advertising concepts for review prior to distribution/publication
2. Reach out to the Latino/Spanish-speaking community
3. More print-advertising materials
4. Should have 511/511.org on the bags so people know where to register
5. Should align the activities with the National Bike to Work Week
6. More sample media pieces should be written prior to BTWD
7. Start the media-campaign earlier next year
8. Collaborate more with the transit agencies next year, starting in December, 2003/January2004
9. Assure there are articles printed in all counties, include the common/independent newspapers, not just the larger/corporate newspapers
10. More tips for new riders should be located on the website
11. Implement the Bike Trip Planner
12. Ensure that the logo is easier to read; consider the color combinations
13. Include pants-cuffs in the hand-outs/bags
14. Organize more evening energizer stations
15. Consider locations of energizer stations to gain more exposure to SOVs
16. Have back-packs instead of musette bags
17. Implement the Bike-Buddy Matching system in some capacity, possibly using the ridematching database, so that matches between rookies and experienced can be secured. This will encourage apprehensive new riders. Offer incentives to the rookies (for trying it) and the experienced rider (for securing a new rider).
18. Emphasize transit connections
19. Have one coordinated BTWD throughout the state
20. Have more sponsorship
21. Press packets should be ready six weeks in advance
22. Respond to the pre-event registrants quickly (within 48 hours) via email/mail, notifying them of the most up-to-date E-stations, tips, etc.
23. Provide "Save-the-Date" postcards for the county contacts to mail to the commuters in their databases, hand out at transit centers, on buses, etc.
24. Get bicycle shops to register participants via forms located in the shop
25. Provide registration postcards that are postage-paid; this is so they can be handed out quickly at the morning registration versus getting the participants to fill out something on their way to work
26. Provide a template for Energizer Station sign-in list
27. Pass out bells that can be attached to the handle bars for new riders
28. Get free transit ridership for cyclists on BTWD (show helmet?)
29. Develop sample resolution for passage by all the counties/cities
30. Develop improved method for registration/counting so that an accurate representation of participation can be achieved (sign-ins and ride-bys)
31. Grand prize should be larger

ATTACHMENT A-3**511 Traveler Information – Marketing and Brand Use Principles**

Recently, MTC centralized regional traveler information services under the phone (511) and Internet (www.511.org) services. This development of 511 phone and web services is the culmination of many years of work. A key goal to centralizing traveler information services was to simplify and enhance the effectiveness of marketing for such services. To capitalize on the investment that has been made, and to provide maximum benefit and simplicity to the traveling public, MTC is now requiring marketing campaigns for all its contractors to uniformly reference 511/511.org. This attachment outlines the guidelines by which marketing will be executed within 511, and, specifically, the required call to action in order to maintain the uniformity of the 511 marketing campaign effort.

Use of Contractor Names in 511 Marketing Efforts

All marketing, outreach and public information materials produced or provided in whole or in part through the BTWD 2004 Contract shall prominently display the 511 telephone number and website as the call to action.

Approved 511 logos will be provided to CONTRACTOR for use; any of the provided logos can be used. Specifically, when referencing the 511 website, the call to action must be www.511.org or 511.org at all times. No other variation (e.g., www.bicycling.511.org) will be allowed. When referencing 511 phone, 511 must be the primary call to action. In situations where this is not possible (e.g., insufficient space), alternate references may be used, as approved by MTC.

Logo Placement: Outdoor Campaigns & Regional Giveaway Item(s)

If CONTRACTOR elects to promote its services to the public through an outdoor campaign, CONTRACTOR shall follow the design style and format established by MTC for the overall 511 outdoor campaign. CONTRACTOR's effort shall be coordinated through MTC Marketing Contractor. To enable the initial establishment of the 511 brand, no sponsorship through placement of other logos will be allowed until sufficient market penetration has been reached, as measured by a public awareness survey or CONTRACTOR has received a waiver in writing from MTC's project manager.

If event sponsorship is secured, placement and size of the sponsors' logo(s) on regional giveaway item(s) shall be reviewed and permitted with MTC's approval only. If permitted, the 511 logo shall remain the prominent logo and the call to action.

Process for Developing, Coordinating, and Approving BTWD 2004 Campaigns

1. All BTWD 2004 program marketing materials must be approved by MTC prior to production. The approval process will be as follows:
2. Draft promotional concepts will be presented by Contractor to MTC staff either in person or in writing.
3. MTC will provide final approval to Contractor of all such products within five business days.

APPENDIX B CALIFORNIA LEVINE ACT STATEMENT

California Government Code § 84308, commonly referred to as the "Levine Act," precludes an officer of a local government agency from participating in the award of a contract if he or she receives any political contributions totaling more than \$250 in the 12 months preceding the pendency of the contract award, and for three months following the final decision, from the person or company awarded the contract. This prohibition applies to contributions to the officer, or received by the officer on behalf of any other officer, or on behalf of any candidate for office or on behalf of any committee.

MTC's commissioners include:

Tom Ammiano
Tom Azumbrado
James T. Beall, Jr.
Irma L. Anderson
Mark DeSaulnier
Bill Dodd
Dorene M. Giacomini

Scott Haggerty
Barbara Kaufman
Steve Kinsey
Sue Lempert
John McLemore
Michael D. Nevin

Jon Rubin
Bijan Sartipi
James P. Spering
Pamela Torliatt
Sharon Wright
Shelia Young

1. Have you or your company, or any agent on behalf of you or your company, made any political contributions of more than \$250 to any MTC commissioner in the 12 months preceding the date of the issuance of this request for qualifications?

☐ YES ☐ NO

If yes, please identify the commissioner: _____

2. Do you or your company, or any agency on behalf of you or your company, anticipate or plan to make any political contributions of more than \$250 to any MTC commissioners in the three months following the award of the contract?

☐ YES ☐ NO

If yes, please identify the commissioner: _____

Answering yes to either of the two questions above does not preclude MTC from awarding a contract to your firm. It does, however, preclude the identified commissioner(s) from participating in the contract award process for this contract.

DATE

(SIGNATURE OF AUTHORIZED OFFICIAL)

(TYPE OR WRITE APPROPRIATE NAME, TITLE)

(TYPE OR WRITE NAME OF COMPANY)

Attachment C

Synopsis of Provisions in MTC's Standard Consultant Agreement

In order to provide bidders with an understanding of some of MTC's standard contract provisions, the following is a synopsis of the major requirements in our standard agreement for professional services. A copy of MTC's standard agreement may be obtained from the Project Manager for this RFP.

Termination: MTC may, at any time, terminate the Agreement upon written notice to Consultant. Upon termination, MTC will reimburse the Consultant for its costs for incomplete deliverables up to the date of termination. Upon payment, MTC will be under no further obligation to the Consultant. If the Consultant fails to perform as specified in the agreement, MTC may terminate the agreement for default by written notice, and the Consultant is then entitled only to compensation for costs incurred for work products acceptable to MTC, less the costs to MTC of re-bidding.

Insurance Requirement: You agree to obtain and maintain at your own expense the following types of insurance for the duration of this agreement: (1) Worker's Compensation Insurance, as required by the law, and Employer's Liability Insurance in an amount no less than \$1,000,000; (2) Commercial General Liability Insurance with a combined single limit of not less than \$1,000,000 for injury to any one person and for any one occurrence; and (3) Automobile Liability Insurance in an amount no less than \$1,000,000. These policies will contain an endorsement to include MTC, its Commissioners, officers, representatives, agents and employees as additional insureds. In addition, the endorsement must specify that such insurance is primary and that no MTC insurance will be called on to contribute to a loss. Certificates of insurance verifying the coverages and the required endorsements and signed by an authorized representative of the insurer must be delivered to MTC prior to issuance of any payment under the Agreement by MTC.

Independent Contractor: Consultant is an independent contractor and has no authority to contract or enter into any other agreement in the name of MTC. Consultant shall be fully responsible for all matters relating to payment of its employees including compliance with taxes.

Indemnification: Consultant agrees to defend, indemnify and hold MTC harmless from all claims, damages, liability, and expenses resulting from any act or omission of Consultant in connection with the agreement. Consultant agrees to defend any and all claims, lawsuits or other legal proceedings brought against MTC arising out of Consultant's acts or omissions. The Consultant shall pay the full cost of the defense and any resulting judgments.

Data Furnished by MTC: All data, reports, surveys, studies, drawings, software (object or source code), electronic databases, and any other information, documents or materials ("MTC Data") made available to the Consultant by MTC for use by the Consultant in the performance of its services under this Agreement shall remain the property of MTC and shall be returned to MTC at the completion or termination of this Agreement. No license to such MTC Data, outside of the Scope of Work of the Project, is conferred or implied by the Consultant's use or possession of

such MTC Data. Any updates, revisions, additions or enhancements to such MTC Data made by the Consultant in the context of the Project shall be the property of MTC.

Ownership of Work Product: All data, reports, surveys, studies, drawings, software (object or source code), electronic databases, and any other information, documents or materials (“Work Product”) written or produced by the Consultant under this Agreement and provided to MTC as a deliverable shall be the property of MTC. Consultant will be required to assign all rights in copyright to such Work Product to MTC.

Personnel and Level of Effort: Personnel assigned to this Project and the estimated number of hours to be supplied by each will be specified in an attachment to the Agreement. No substitution of personnel or substantial decrease of hours will be allowed without prior written approval of MTC.

Subcontracts: No subcontracting of any or all of the services to be provided by Consultant shall be allowed without prior written approval of MTC. MTC is under no obligation to any subcontractors.

Consultant's Records: Consultant shall keep complete and accurate books, records, accounts and any and all work products, materials, and other data relevant to its performance under this Agreement. All such records shall be available to MTC for inspection and auditing purposes. The records shall be retained by Consultant for a period of not less than four (4) years following the fiscal year of the last expenditure under this Agreement.

Prohibited Interest: No member, officer or employee of MTC can have any interest in this agreement or its proceeds and Consultant may not have any interest which conflicts with its performance under this Agreement.

Federal Clauses. If this agreement is federally funded, a summary of federally required clauses is attached.

REQUEST FOR PROPOSAL
APPROVAL SHEET

AGENCY (MTC/MTC SAFE/BATA):	MTC	
PROJECT TITLE:	Bike To Work Day 2004	
FISCAL YEAR(S):	2003-2004	WORK ITEM #: 1222
BUDGET AMOUNT:	\$150,000	FUNDING SOURCE: STIP
ADDENDUM NO.:	N/A	
REVIEW COMMITTEE:	MTC Admin	APPROVAL DATE:
<small>(MTC Admin./SAFE Operations/BATA Oversight)</small>		

Project Manager is responsible for providing all the above information, for securing all signatures below before the Executive Director signs the RFP/RFQ/SOQ, for providing the Office of the General Counsel with a copy of the final RFP/RFQ/SOQ, and for keeping this signature sheet with a copy of the RFP/RFQ/SOQ in the project files. This sheet must accompany all RFPs circulated in-house for review and approval.

REVIEW LIST

Project Manager:	Susan Heinrich-Beaty	Date:	
Section Manager:	Melanie Crotty	Date:	
Work Program Coordinator:	Sara MacKusick	Date:	
DBE Liaison: <i>(Federal funding only)</i>	Teri Green	Date:	
Office of the General Counsel:	Melanie J. Morgan/Cynthia Segal	Date:	
Deputy Director:	Ann Flemer	Date:	